

CITY OF MENASHA
COMMON COUNCIL
Third Floor Council Chambers
140 Main Street, Menasha
Monday, October 19, 2015
MINUTES

A. CALL TO ORDER

Meeting called to order by Mayor Merkes at 6:15 p.m.

B. PLEDGE OF ALLEGIANCE

Pledge of Allegiance was recited.

C. ROLL CALL/EXCUSED ABSENCES

PRESENT: Aldermen Keehan, Zelinski, Spencer, Benner, Nichols, Taylor, Krautkramer

ALSO PRESENT: Mayor Merkes, CA Captain, PC Styka, FC Auxier, DP Radtke, CDD Keil, ASD Steeno, PRD Tungate, PHD McKenney, Clerk Galeazzi and the Press.

D. PUBLIC HEARING

1. [Proposing a Vacation of a Portion of Midway Crossing.](#)

CDD Keil explained vacating a portion of Midway Crossing will assist in the future development of a Festival Foods Grocery Store.

No one spoke.

Mayor Merkes called the public hearing to a close.

E. PUBLIC COMMENTS ON ANY MATTER OF CONCERN TO THE CITY

(five (5) minute time limit for each person)

Sandra Dabill-Taylor, 545 Broad Street, Menasha. 1) Thanked Ald. Mark Langdon for his service to the residents of District 4 and City of Menasha. 2) Opposes Alternative J as the preferred option for the Racine Street Bridge replacement.

F. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

1. Clerk Galeazzi - the following minutes and communications have been received and placed on file:

Minutes to receive:

- a. [Administration Committee, 10/05/15.](#)
- b. [Board of Health, 09/09/15.](#)
- c. Board of Public Works, [10/05/15 \(1st Meeting\)](#) and [10/05/15 \(2nd meeting\)](#).
- d. [Committee on Aging, 09/10/15.](#)
- e. [Landmarks Commission, 10/07/15.](#)
- f. [Parks and Recreation Board, 10/12/15.](#)
- g. [Plan Commission, 10/06/15.](#)
- h. [Water and Light Commission, 09/23/15.](#)

Communications:

- i. [Veterans of Foreign Wars, 9/28/15; Veterans' Day Program and dinner.](#)
- j. [Boys and Girls Club of Menasha, October 2015; 2015 Summer Success Stories.](#)
- k. [Mayor Merkes, 10/09/15; Proclamation Saluting Evelyn Porsche on her 105th Birthday.](#)
- l. [Mayor Merkes, 10/10/15; Proclamation Welcoming "that covers it. too".](#)
- m. [Wisconsin Department of Administration, 10/10/15; Final Estimate of January 1, 2015 Population for City of Menasha.](#)
- n. [CDD Keil, 10/13/15; Status of Office Tower Project.](#)
- o. [DPW Radtke, 10/15/15; Racine Road Interchange Ramp Closures.](#)

Moved by Ald. Taylor seconded by Ald. Keehan to receive Minutes and Communications A-O.
Motion carried on voice vote.

G. CONSENT AGENDA

(Prior to voting on the Consent Agenda, items on the Consent Agenda may be removed at the request of any Alderman and place immediately following action on the Consent Agenda. The procedures to follow for the Consent Agenda are: (a) removal of items from Consent Agenda; and (b) motion to approve the items from Consent Agenda.)

Minutes to approve:

1. Common Council, 10/05/15.

Administration Committee, 10/05/15 – Recommends the Approval of:

2. Joint Powers Agreement Winnebago County Emergency 911 System, Dec. 1, 2015 - Nov. 30, 2016.
3. The request to apply, receive and spend a National Council on Aging: *Aging Mastery Program* Grant with the Neenah-Menasha YMCA for the amount of \$12,000 in grant funding plus \$4,800 in program materials.
4. 2016 Health Insurance plan design changes of participation in the local clinic, addition of a \$100 Co-Pay for High Tech Imaging, addition of a health club reimbursement benefit of \$120 single/\$240 family and a premium contribution of 2.5% by all non-represented employees.

Board of Public Works, 10/05/15 – Recommends the Approval of:

5. Alternative J as the preferred option for the Racine Street Bridge replacement.
6. Street Use Application – Hometown Halloween; Thursday, October 29, 2015; 3:00 PM – 7:00 PM (City of Menasha Farm Fresh Market).
7. Payment – Northeast Asphalt, Inc.; New Street Construction and Reconstruction, Concrete Curb and Gutter, Asphalt Pavement, Storm Sewer – Southfield West/Natures Way Subdivision Streets, Barker Farm VI Subdivision Streets, River Lea Court, Broad Street, Ida Street, Manitowoc Street and Lincoln Street, Contract No. 2015-01 in the amount of \$101,607.91 (Payment No. 6).
8. Authorization to Execute GRAEF Engineering Design Services Agreement for Twin Trestle Project.

Park and Recreation Board, 10/12/15 - Recommends the Approval of:

9. Raising the Marina 2016 seasonal rental rate from \$38.25 per foot to \$38.50 per foot.

Ald. Taylor requested to remove item 5 from Consent Agenda.

Ald. Zelinski requested to remove items 4&8 from Consent Agenda.

Moved by Ald. Taylor seconded by Ald. Keehan to approve Consent Agenda items 1, 2, 3, 6, 7, 9.

Motion carried on roll call 7-0.

H. ITEMS REMOVED FROM CONSENT AGENDA

1. Moved by Ald. Nichols seconded by Ald. Keehan to approve Consent Agenda item 4, 2016 Health Insurance plan design changes of participation in the local clinic, addition of a \$100 co-pay for High Tech Imaging, addition of a health club reimbursement benefit of \$120 single/\$240 family, and a premium contribution of 2.5% by all non-represented employees.

Motion carried on roll call 6-1. Ald. Zelinski voted no.

2. Moved by Ald. Nichols seconded by Ald. Keehan to approve Consent Agenda item 5, Alternative J as the preferred option for the Racine Street Bridge replacement.

DPW Radtke handed out operating and maintenance cost histories for the Racine Street lift bridge and Oshkosh Wisconsin Avenue lift bridge, as supplied by WisDOT.

General discussion ensued on future maintenance cost of the lift bridge; liability costs of a City owned bridge; timeline of the replacement of the bridge.

Moved by Ald. Taylor seconded by Ald. Zelinski to postpone to next meeting.

Motion carried on roll call 4-3.

Ald. Taylor, Krautkramer, Keehan, Zelinski voted yes. Ald. Nichols, Spencer, Benner voted no.

3. Moved by Ald. Nichols seconded by Ald. Keehan to approve Consent Agenda item 8, Authorization to Execute GRAEF Engineering Design Services Agreement for Twin Trestle Project.

General discussion ensued on purpose of the engineering study; other options for trail route.

Motion carried on roll call 5-2.

Ald. Nichols, Krautkramer, Keehan, Spencer, Benner voted yes. Ald. Taylor, Zelinski voted no.

I. ACTION ITEMS

1. [Accounts payable and payroll for the term of 10/08/15 to 10/15/15 in the amount of \\$865,245.82.](#)

Moved by Ald. Nichols seconded by Ald. Keehan to approve accounts payable and payroll.

Motion carried on roll call 7-0.

2. [Beverage Operators License Applications for the 2015-2017 licensing period.](#)

Moved by Ald. Nichols seconded by Ald. Keehan to approve beverage operator's license applications as listed in memo dated 10/15/15.

Motion carried on roll call 7-0.

Moved by Ald. Zelinski seconded by Ald. Keehan to deny beverage operator's license application for Jamie R. Aniol as she does not meet the criteria under the established guidelines.

Motion carried on roll call 7-0.

Moved by Ald. Zelinski seconded by Ald. Keehan to deny beverage operator's license application for Nichole Marie Verstoppen as she does not meet the criteria under the established guidelines.

Motion carried on roll call 7-0.

3. [Accept letter of resignation from Alderman Langdon and plan to fill vacancy.](#)

Moved by Ald. Taylor seconded by Ald. Keehan to accept letter of resignation from Alderman Langdon and advertise to fill the vacancy.

General discussion ensued on accepting resumes from interested candidate until Nov 9, hold special meeting to conduct interviews on Nov 16.

Motion carried on roll call 7-0.

4. [Motion to Rescind – Ald. Zelinski – Beverage Operators License Application for Dana Lee Akers.](#)

Moved by Ald. Zelinski seconded by Ald. Keehan to rescind motion to deny beverage operator's license application for Dana Lee Akers

Motion carried on roll call 7-0.

Unanimous consent of Council to allow Dana Lee Akers to speak.

Ms Akers explained the citations she received and the timeline. She also explained she had medical issues that prevented her from attending the Aug 3, 2015 meeting when the Council acted on the beverage operator's license.

General discussion ensued on the length of time since citations issued.

Moved by Ald Zelinski seconded by Ald. Keehan to approve beverage operator's license application for Dana Lee Akers.

Motion carried on roll call 7-0.

5. [Petition to Vacate a Portion of Midway Crossing.](#)

Moved by Ald. Benner seconded by Ald. Keehan to accept petition to vacate a portion of Midway Crossing as public street per survey map provided.

General discussion ensued on traffic concerns in the area.

Motion carried on roll call 7-0.

6. [Motion to Reconsider – Alderman Taylor - R-35-15, Resolution Approving a 2015 Budget Adjustment for the Purchase of Land to Replace Parking Displace by the Construction of the Parking Ramp Within the Broad Street Parking Lot and the Accompanying Borrowing to be Included with the 2016 Capital Improvement Program Borrowing.](#)

Moved by Ald. Taylor seconded by Ald. Nichols to reconsider R-35-15 Resolution Approving a 2015 Budget adjustment for the purchase of land to replace parking displace by the construction of the parking ramp within the Broad Street parking lot and the accompanying borrowing to be included with the 2016 Capital Improvement Program borrowing.

Motion carried on roll call 6-1. Ald. Zelinski voted no.

I. ACTION ITEMS, cont'd.

6. [Motion to Reconsider – Alderman Taylor - R-35-15, Resolution Approving a 2015 Budget Adjustment for the Purchase of Land to Replace Parking Displaced by the Construction of the Parking Ramp Within the Broad Street Parking Lot and the Accompanying Borrowing to be Included with the 2016 Capital Improvement Program Borrowing., cont'd.](#)

CA Captain explained the motion in front of Council is the original motion from Oct 5, 2015 meeting; Original motion: Moved by Ald. Benner seconded by Ald. Nichols to approve R-35-15 A Resolution Approving a 2015 Budget Adjustment for the purchase of land to replace parking displaced by the construction of the parking ramp within the Broad Street parking lot and the accompanying borrowing to be included within the 2016 Capital Improvement Program borrowing.

General discussion ensued on statutory requirements of purchasing and funding parking lot. Motion carried on roll call 6-1. Ald. Zelinski voted no.

J. HELD OVER BUSINESS

None

K. ORDINANCES AND RESOLUTIONS

1. [O-16-15; An Ordinance Amending Title 11, Chapter 2 of the Code of Ordinances \(Residential Outdoor Lighting\) \(Introduced by Alderman Zelinski and Alderman Taylor\) \(Recommended by the Administration Committee\).](#)

CA Captain explained the motion in front of the Council is the original motion from Oct 5, 2015 meeting;

Moved by Ald. Taylor seconded by Ald. Zelinski to adopt O-16-16 An Ordinance Amending Title 11, Chapter 2 of the Code of Ordinances (Residential Outdoor Lighting).

Unanimous consent of Council to withdraw original motion.

2. [Substitute Amendment 1 to Ordinance O-16-15; An Ordinance Amending Title 11, Chapter 2 of the Code of Ordinances \(Residential Outdoor Lighting\) \(Introduced by Alderman Benner\).](#)

Moved by Ald. Benner seconded by Ald. Keehan to adopt Substitute Amendment 1 to O-16-15 An Ordinance Amending Title 11, Chapter 2 of the Code of Ordinances (Residential Outdoor Lighting).

General discussion ensued on measuring foot-candles; measuring point along property line; enforcement of ordinance.

Motion carried on roll call 6-1. Ald. Nichols voted no.

3. [O-19-15; An Ordinance Amending Title 9, Chapter 6 of the Code of Ordinances. \(Methodology for Billing Stormwater Charges for Duplexes\) \(Recommended by the Board of Public Works\).](#)

CA Captain explained the motion in front of the Council is the original motion from Oct 5, 2015 meeting;

Original motion: Moved by Ald. Zelinski seconded by Ald. Langdon to adopt O-19-15 An Ordinance Amending Title 9, Chapter 6 of the Code of ordinances (Methodology for Billing Stormwater Charges for Duplexes).

Moved by Ald. Zelinski seconded by Ald. Langdon to amend to charge each parcel 1 ERU.

Unanimous consent of Council to withdraw original motion.

Moved by Ald. Zelinski seconded by Ald. Spencer to adopt O-19-15 An Ordinance Amending Title 9, Chapter 6 of the Code of ordinances (Methodology for Billing Stormwater Charges for Duplexes), charging .50 ERU per living/dwelling unit.

General discussion ensued a fair billing method for all types of properties; stormwater revenue based on different billing methods; looking into other billing methods.

Motion failed on roll call 2-5.

Ald. Taylor, Zelinski voted yes. Ald. Nichols, Krautkramer, Keehan, Spencer, Benner voted no.

4. [R-25-15; A Resolution Pertaining to Equivalent Runoff Unit \(ERU\) Charges for Storm Water Utility \(Introduced by Mayor Merkes\).](#)

Moved by Ald. Benner seconded by Ald. Keehan to approve R-25-15 A Resolution Pertaining to Equivalent Runoff Unit (ERU) charges for Storm Water Utility.

Motion carried on roll call 5-2.

Ald. Nichols, Krautkramer, Keehan, Spencer, Benner voted yes. Ald. Taylor, Zelinski voted no.

K. ORDINANCES AND RESOLUTIONS, cont'd.

5. [R-34-15; A Resolution Pertaining to Equivalent Runoff Unit \(ERU\) Charges for Storm Water Utility.](#)
No Action.
6. [R-36-15; A Resolution Pertaining to Equivalent Runoff Unit \(ERU\) Charges for Storm Water Utility.](#)
No Action.

L. APPOINTMENTS

None

M. CLAIMS AGAINST THE CITY

None

N. PUBLIC COMMENTS ON ANY MATTER LISTED ON THE AGENDA
(five (5) minute time limit for each person)

Ald. Taylor thanked Ald. Mark Langdon for his service as an alderman.

O. RECESS TO BOARD OF PUBLIC WORKS

Not necessary.

P. REPORT OF DEPARTMENT HEADS

1. CA Captain
 - a. Redevelopment Agreement between City of Menasha and McClone Downtown Development LLC dated April 7, 1997.
 - b. Offer to Purchase 320 Chute Street, Menasha.

Not necessary.

Q. ACTION ITEMS

1. Adjourn into Closed Session pursuant to Wis. Stats. §19.85(1)(e) and (g): Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session; and conferring with legal counsel for the governmental body who is rendering oral or written advise concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. (Lease of parking lot at 320 Chute Street, Menasha; and Offer to Purchase 320 Chute Street, Menasha).
Not necessary.
2. May reconvene into Open Session to act on what was discussed in Closed Session.
Not necessary.

R. ADJOURNMENT

Moved by Ald. Taylor seconded by Ald. Benner to adjourn at 8:35 p.m.

Motion carried on voice vote.

Respectfully submitted by Deborah A. Galeazzi, WCMC, City Clerk.